

# **REQUEST FOR CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/542,091
Filing Date	April 3, 2000
First Named Inventor	Jose de la Torre-Bueno
Group Art Unit	2623
Examiner Name	Miller, J.
Attorney Docket Number	10225-023001

## **This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### **1. Submission required under 37 C.F.R. §1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on April 11, 2002  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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### **2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### **3. Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
- i. ☒ RCE fee required under 37 C.F.R. §1.17(e) 06/18/2002 AWONDAF1 00000116 09542091
- ii. ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17) 01 FC:279 370.00 DP
- iii. ☒ Other Any deficiencies
- b. ☒ Check in the amount of \$ 775 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### **SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Scott C. Harris <b>KENYON S. JENCKES</b>	Registration No. (Attorney/Agent)	32,030
Signature:	<i>Kenyon S. Jenckes</i> <b>REG. NO 41,873</b>	Date	<u>June 7, 2002</u>

### **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to **Commissioner for Patents, Box RCE, Washington, DC 20231** or facsimile transmitted to the U.S. Patent and Trademark Office on: June 7, 2002

Name (Print/Type)	Norman Green	Date	<u>June 7, 2002</u>
Signature	<i>Norman Green</i>		